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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 1278

UNITED STATES OF AMERICA, Plaintiff, v. **Feliciano QUIROS-Hernandez** Defendant.	Magistrate Case No.________ COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1324(a)(2)(B)(iii)- Bringing in Illegal Alien(s) Without Presentation

The undersigned complainant being duly sworn states:

On or about **April 23, 2008**, within the Southern District of California, defendant, **Feliciano QUIROS-Hernandez** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **C.A.A.**, had not received prior official authorization to come to, enter or reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
Roger Quintana Jr., United States Customs and Border Protection Enforcement Officer

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **25th** DAY OF **APRIL, 2008**.

UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

The complaint states that **C.A.A.** is a citizen of a country other than the United States; that said alien has admitted she is deportable; that her testimony is material; that it is impracticable to secure her attendance at trial by subpoena; and that she is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On April 23, 2008, at approximately 1:50 p.m., **Feliciano QUIROS-Hernandez (Defendant)** made application for admission into the United States at the San Ysidro, California Port of Entry as the driver and sole visible occupant of a 2000 Chevrolet Astro Van. Defendant presented a DSP-150 (Border Crossing Card) bearing the name Jose Luis Ramirez Navarro to a Customs and Border Protection (CBP) Officer. The CBP Officer noticed that Defendant appeared nervous and was sweating during the inspection. Upon further inspection, the CBP Officer noticed that Defendant's fingerprint were not the same when compared to the photo image fingerprint on the DSP-150. The primary CBP Officer subsequently requested the assistance from the Anti-Terrorism Contraband Enforcement Team (ATCET). Upon responding to lane 22, ATCET Officers conducted a cursory inspection of the vehicle and noticed a female concealed underneath one of the rear bench seats. ATCET Officers subsequently escorted the vehicle and Defendant to the secondary for further inspection.

In secondary, a CBP Officer discovered one female concealed under the first row bench seat. CBP Officers assisted and safely removed the female from under the seat. Further investigation revealed the female to be a minor citizen of Mexico without entitlements to enter the United States. The minor female was retained as a Material Witness and is now identified as **C.A.A. (MW)**.

During a videotaped proceeding, Defendant was advised of his Miranda rights. Defendant elected to submit to questioning without benefit of counsel. Defendant admitted knowledge that there was a person concealed in the vehicle that he was driving. Defendant admitted that he made smuggling arrangements with a man by the name of Leobardo. Defendant stated that he was not going to pay a smuggling fee because he agreed to drive the vehicle across the border. Defendant stated that he was going to meet with Leobardo at University and 40th Street.

On a separate videotaped interview, MW declared she is a citizen of Mexico without legal rights to enter the United States. MW stated that family members made arrangements and were going to pay a fee of $3,000 USD for her to be smuggled into the United States. MW stated she was en route to Santa Maria, California to seek employment.